IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 13094 of 2004

Between:

Perumalla Yellamma, W/o Setty Asirvadam,
Rayamalpuram, Nandyal Mandal, Kurnool District.

..... PETITIONER

AND

1 The Commissioner of Civil Supplies, State of A.P., Civil Supplies Bhavan, Hyderabad.
2 The District Collector, Kurnool, Kurnool District.
3 The Joint Collector, Kurnool, Kurnool District.
4 The Revenue Divisional Officer, Nandyal, Kurnool District.
5 Sri Alvakonda Devakumar, S/o Sudershanam,
Rayamalpuram village, Nandyal Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or Direction by setting aside the order dated 19-5-2004 passed by the 4th respondent herein appointing the 5th respondent as Fair Price Shop dealer of Rayamalpuram Village, Nandyal Mandal, Kurnool District, contrary to the terms of the notification dated 31-12-2003 as arbitrary, illegal and unconstitutional and consequently direct the Respondents to appoint women candidates pursuant to interview held on 24-1-2004.

Counsel for the Petitioner:MR.T.NAGARJUNA REDDY

Counsel for the Respondents 1 to 4.: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

The petitioner is aggrieved by proceedings dt.19.5.2004 of the fourth respondent herein whereby and whereunder the fifth respondent was appointed as fair price dealer of Rayamalapuram Village in Nandyal Mandal. The petitioner is also one of the candidates in the selections held for appointment. If the petitioner is aggrieved, under Clause 20(1) of the A.P.State Public Distribution System (Control) Order, 2001, she has effective remedy of appeal before the Joint Collector. This remedy is not availed. Therefore, without expressing any opinion on the merits of the case, liberty is reserved to petitioner to avail alternative remedy. As and when petitioner files appeal, the appellate authority, namely, the Joint Collector, Kurnool, third respondent herein, shall dispose of the same in accordance with law within eight weeks from the date of presentation of appeal.

With the above directions, the Writ Petition is disposed of. No costs.

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(V.V.S.RAO, J)

27.7.2004

bnr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner of Civil Supplies, State of A.P., Civil Supplies Bhavan, Hyderabad.
2 The District Collector, Kurnool, Kurnool District.
3 The Joint Collector, Kurnool, Kurnool District.
4 The Revenue Divisional Officer, Nandyal, Kurnool District.
5 2 CCs to G.P. for Civil Supplies, High Court Bldgs., Hyderabad (OUT)

6 2 CD copies.